

REMARKS

This response is intended as a complete response to the Final Office Action dated February 10, 2006. In view of the following discussion, the Applicants believe that all claims are in allowable form.

CLAIM REJECTIONS

35 U.S.C. §102 Claims 1-8, 27-38, 60, and 61

Claims 1-8, 27-38, 60, and 61 stand rejected as being anticipated by United States Patent No. 6,420,194 issued July 16, 2002 to *Reitman* (hereinafter referred to as "*Reitman*"). The Applicants respectfully disagree.

Independent claims 1 and 29 recite limitations not taught or suggested by *Reitman*. *Reitman* teaches monitoring an etching process condition in a chamber. As asserted by the Examiner, *Reitman* teaches obtaining information from an *in-situ* process signals to **detect** subtle changes that indicate an endpoint to an etching process. (Col. 5, Lines 35-40).

However, *Reitman* does not teach or suggest **performing** both a substrate processing operation and a process perturbation operation in a process chamber, or collecting data during both of these operations, as recited by claims 1 and 29. Moreover, since *Reitman* does not teach or suggest **collecting** data during a process perturbation, a multivariant analysis of process perturbation data cannot be performed, as recited by claims 1 and 29

Anticipation requires the presence in a single prior art reference disclosure of **each and every element of the claimed invention**, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984)(citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983). Here, *Reitman* does not teach or suggest **performing** a process perturbation operation in a process chamber, collecting data during a process perturbation operation or analyzing data collected during a process perturbation operation. Thus, *Reitman* fails to disclose each and every element of the claimed invention recited by independent claims 1 and 29, and therefore, a *prima facie* case of anticipation is not established.

Thus, the Applicants submit that independent claims 1 and 29, and all claims depending therefrom, are patentable over *Reitman*. Accordingly, the Applicants respectfully request the rejection be withdrawn.

ALLOWABLE SUBJECT MATTER

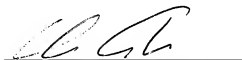
The Applicants thank the Examiner for the indication that claims 9-22 and 39-55 are allowed. In light of the reasons set for above, the Applicants believe that all claims are all in allowable form.

CONCLUSION

Thus, the Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited.

If, however, the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Mr. Keith Taboada at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



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